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FILED 1010141629USDC-ORP

Attorneys for Defendant Discover Financial Services, Inc.,

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

SHAUN and RHONDA MURRAY,

CV '10 1268 HA

Plaintiffs,

NOTICE OF REMOVAL

v.

DISCOVER FINANCIAL SERVICES, INC.,

Pursuant to 28 U.S.C. §§ 1331, 1441, and  
1446 (FEDERAL QUESTION)

Defendant.

Multnomah County Circuit Court Case  
No. 1008-11529

TO: United States District Court for the District of Oregon; Clerk of the Multnomah County Circuit Court; and to Joshua Trigsted, attorney for plaintiffs

**PLEASE TAKE NOTICE** that defendant removes to this Court the state court action described below. Removal of this action is properly based on the following facts:

1. On or about September 14, 2010, an action was commenced in the Multnomah County Circuit Court entitled *Shaun and Rhonda Murray v. Discover Financial Services, Inc.*, Case No. 1008-11529. Pursuant to 28 U.S.C. § 1446(a), copies of "all process, pleadings, and orders served upon" defendant is attached as Exhibit 1.

PAGE 1 - NOTICE OF REMOVAL

2. DFS Services LLC, formerly known as Discover Financial Services, Inc. ("Defendant") was originally served with Summons and Complaint on or about September 14, 2010. Therefore, pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely because it is being filed "within thirty days after the receipt by the defendant \* \* \* of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based \* \* \*."

3. No responsive pleadings or papers have been filed by Defendant in this action.

4. This action is a civil action over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1331 (federal question). Plaintiff purports to assert a claim under the Telephone Consumer Protection Act, 47 U.S.C. § 227 *et. seq.*

5. Venue is proper in this Court pursuant to 28 U.S.C. § 1446(a) because the Circuit Court for the State of Oregon for the County of Multnomah is located within the district of this Court.

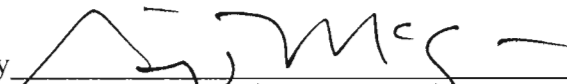
6. Based on the foregoing, this action is one that may be removed to this Court pursuant to 28 U.S.C. § 1441.

7. A copy of this Notice of Removal is being promptly filed with the Multnomah County Circuit Court Clerk and provided to plaintiff as required by 28 U.S.C. § 1446(d).

THEREFORE, this case should proceed in this Court as properly removed.

DATED: October 14, 2010

LANE POWELL PC

By   
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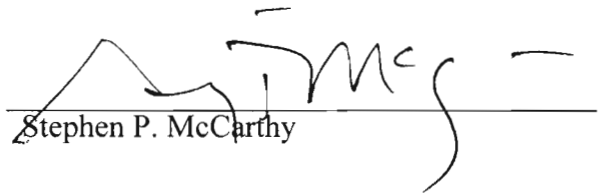
PAGE 2 - NOTICE OF REMOVAL

**CERTIFICATE OF SERVICE**

I hereby certify that on October 14, 2010, I will cause to be served on plaintiffs' counsel, at the address listed below, a copy of the foregoing **Notice Of Removal** attached to a document entitled Notice to Adverse Party of Removal to Federal Court which will be filed with the Multnomah County Circuit Court:

Joshua Trigsted, Esq.  
Trigsted Law Group, P.C.  
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Lake Oswego, OR 97035  
Facsimile: (866) 927-5826  
E-Mail: jtrigsted@attorneysforconsumers.com

- ☐ by **CM/ECF**
- ☒ by **Electronic Mail**
- ☐ by **Facsimile Transmission**
- ☒ by **First Class Mail**
- ☐ by **Hand Delivery**
- ☐ by **Overnight Delivery**

  
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Stephen P. McCarthy

PAGE 3 - NOTICE OF REMOVAL